

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

In re Bard IVC Filters Products Liability
Litigation

No. MD-15-02641-PHX-DGC

ORDER

Attached is an agenda for the Case Management Conference to be held on January 29, 2016 at 9:00 a.m. The parties should be prepared to address all of the issues in the attached agenda, the Lehmann motion, and any other matters that should be resolved now or will expedite the resolution of this proceeding.

The Court has set up a dial-in conference call line for any parties wishing to appear telephonically at the Case Management Conference. The dial-in information is set forth below.

USA Toll Free 888-431-3632
Access Code: 1879348

Dated this 27th day of January, 2016.



David G. Campbell
United States District Judge

Proposed Agenda for January 29, 2016 Case Management Conference

- I. Proposed Schedule for Phase II Discovery
 - A. Proposed Track 1 (13 Cases Nearing Trial-Readiness)
 - B. Proposed Track 2 (Other Cases in MDL)
 - C. Submission of Bellwether Proposal (by March 1, 2016)
- II. Scope of Phase II Discovery/Phase I Follow-up – Proposed Track 1 Cases
 - A. FDA Warning Letter and Reporting Issues
 - B. Kay Fuller Allegations
- III. Scope of Phase II Discovery – Proposed Track 2 Cases
 - A. Limitations on Depositions – Binding Effect of Prior Depositions
 - B. Scope of Discovery as to Particular Issues:
 - 1. Simon Nitinol Filter
 - 2. Recovery Cone
 - 3. Sales and Marketing
- IV. ESI and Document Discovery/Issues
 - A. Plaintiffs’ Request for Prior Production Information and “Updating” Productions
 - B. Supplemental Review and Productions
 - 1. Later Generation Devices
 - C. ESI Preservation
- V. Privilege Log Issues
 - A. Process for Resolution of Privilege Disputes
 - B. Whether There Should Be a Special Master